

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Keith Curtis, Tyneshia Brooks, Adrienne
Davenport, John Davenport, and Catherine
Comella-Ports, individually and on behalf of
all others similarly situated,

Plaintiffs,

vs.

Time Warner Entertainment-
Advance/Newhouse Partnership,

Defendant.

C/A No. 3:12-cv-2370-JFA

ORDER

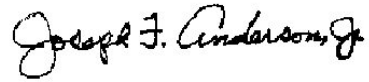
Defendant Time Warner Entertainment-Advance/Newhouse Partnership (“TWEAN”) moves for partial reconsideration of the November 20, 2013, order in which this court granted the plaintiffs’ motion to amend the conditional class certification. ECF No. 127. Specifically, TWEAN submits that the portion of the order that certified a nationwide class constituted clear error. ECF No. 127-1, pp. 2–4, 6, 9, 11, n 6. After reviewing the motion and the briefs filed by both parties, this court denies TWEAN’s motion for partial reconsideration.

TWEAN submits that this court committed a clear error granting the motion to amend the conditional class certification because “there is no evidence supporting Plaintiffs’ speculative theory that TWEAN had a nationwide policy requiring telesales representatives to reconcile their sales during unpaid time.” ECF No. 127, p. 1. Further, TWEAN contends “the discovery completed to date proves that no nationwide policy could possibly exist.” *Id.* The court disagrees. For the most part, TWEAN has resisted discovery for the areas covered by the expanded class. Additionally, the plaintiffs have shown a reasonable basis for their claim that other similarly situated plaintiffs exist. Accordingly, this court hereby denies TWEAN’s

motion for partial reconsideration of the November 20, 2013, order.

IT IS SO ORDERED.

December 12, 2013
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge